

COMPARISON OF WHITE HOUSE AND JUDICIARY
COMMITTEE TRANSCRIPTS OF EIGHT RECORDED
PRESIDENTIAL CONVERSATIONS

HEARINGS
BEFORE THE
COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

NINETY-THIRD CONGRESS

SECOND SESSION

PURSUANT TO

H. Res. 803

A RESOLUTION AUTHORIZING AND DIRECTING THE COMMITTEE
ON THE JUDICIARY TO INVESTIGATE WHETHER SUFFICIENT
GROUNDS EXIST FOR THE HOUSE OF REPRESENTATIVES TO
EXERCISE ITS CONSTITUTIONAL POWER TO IMPEACH

RICHARD M. NIXON
PRESIDENT OF THE UNITED STATES OF AMERICA

MAY-JUNE 1974

Serial No. 34

Printed for the use of the
Committee on the Judiciary



U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1974

36-316 O

COMMITTEE ON THE JUDICIARY

PETER W. RODINO, Jr., New Jersey, *Chairman*

HAROLD D. DONOHUE, Massachusetts
JACK BROOKS, Texas
ROBERT W. KASTENMEIER, Wisconsin
DON EDWARDS, California
WILLIAM L. HUNGATE, Missouri
JOHN CONYERS, Jr., Michigan
JOSHUA EILBERG, Pennsylvania
JEROME R. WALDIE, California
WALTER FLOWERS, Alabama
JAMES R. MANN, South Carolina
PAUL S. SARBANES, Maryland
JOHN F. SEIBERLING, Ohio
GEORGE E. DANIELSON, California
ROBERT F. DRINAN, Massachusetts
CHARLES B. RANGEL, New York
BARBARA JORDAN, Texas
RAY THORNTON, Arkansas
ELIZABETH HOLTZMAN, New York
WAYNE OWENS, Utah
EDWARD MEZVINSKY, Iowa

EDWARD HUTCHINSON, Michigan
ROBERT MCCLORY, Illinois
HENRY P. SMITH III, New York
CHARLES W. SANDMAN, Jr., New Jersey
TOM RAILSBACK, Illinois
CHARLES E. WIGGINS, California
DAVID W. DENNIS, Indiana
HAMILTON FISH, Jr., New York
WILEY MAYNE, Iowa
LAWRENCE J. HOGAN, Maryland
M. CALDWELL BUTLER, Virginia
WILLIAM S. COHEN, Maine
TRENT LOTT, Mississippi
HAROLD V. FROEHLICH, Wisconsin
CARLOS J. MOORHEAD, California
JOSEPH J. MARAZITI, New Jersey
DELBERT L. LATTA, Ohio

JOHN DOAR, *Special Counsel*

ALBERT E. JENNER, Jr., *Special Counsel to the Minority*
JOSEPH A. WOODS, Jr., *Senior Associate Special Counsel*
RICHARD CATES, *Senior Associate Special Counsel*
BERNARD W. NUSSBAUM, *Senior Associate Special Counsel*
ROBERT D. SACK, *Senior Associate Special Counsel*
ROBERT A. SHELTON, *Associate Special Counsel*
SAMUEL GARRISON III, *Deputy Minority Counsel*

FRED H. ALTHULER, *Counsel*
THOMAS BELL, *Counsel*
W. PAUL BISHOP, *Counsel*
ROBERT L. BROWN, *Counsel*
MICHAEL M. CONWAY, *Counsel*
RUFUS CORMIER, *Special Assistant*
E. LEE DALE, *Counsel*
JOHN B. DAVIDSON, *Counsel*
EVAN A. DAVIS, *Counsel*
CONSTANTINE J. GEKAS, *Counsel*
RICHARD H. GILL, *Counsel*
DAGMAR HAMILTON, *Counsel*
DAVID HANES, *Special Assistant*
JOHN E. KENNAHAN, *Counsel*
TERRY R. KIRKPATRICK, *Counsel*
JOHN R. LABOVITZ, *Counsel*
LAWRENCE LUCCHINO, *Counsel*
R. L. SMITH McKEITHEN, *Counsel*

ALAN MARER, *Counsel*
ROBERT P. MURPHY, *Counsel*
JAMES B. F. OLIPHANT, *Counsel*
RICHARD H. PORTER, *Counsel*
GEORGE RAYBORN, *Counsel*
JAMES REUM, *Counsel*
HILLARY D. RODHAM, *Counsel*
STEPHEN A. SHARP, *Counsel*
JARED STAMELL, *Counsel*
ROSCOE B. STAREK III, *Counsel*
GARY W. SUTTON, *Counsel*
EDWARD S. SZUKELEWICZ, *Counsel*
THEODORE R. TETZLAFF, *Counsel*
ROBERT J. TRAINOR, *Counsel*
J. STEPHEN WALKER, *Counsel*
BEN A. WALLIS, Jr., *Counsel*
WILLIAM WELD, *Counsel*
WILLIAM A. WHITE, *Counsel*

TABLE OF CONTENTS

	Page
Foreword -----	v
September 15, 1972-----	1
February 28, 1973-----	7
March 13, 1973-----	11
March 21, 1973, a.m.-----	17
March 21, 1973, p.m.-----	31
March 22, 1973-----	39
April 16, 1973, a.m.-----	51
April 16, 1973, p.m.-----	55

FOREWORD

BY HON. PETER W. RODINO, JR., CHAIRMAN, COMMITTEE ON THE JUDICIARY

On July 9, 1974, the Committee on the Judiciary released a volume entitled "Transcripts of Eight Recorded Presidential Conversations." The conversations among President Nixon, John Dean and others took place on September 15, 1972; February 28, 1973; March 13, 1973; March 21, 1973 (two conversations); March 22, 1973 and April 16, 1973 (two conversations).

Transcripts of seven of these eight conversations (all except the conversation on the afternoon of April 16, 1973) were initially delivered by President Nixon to the Special Prosecutor between January 1 and 9, 1974, and to the Committee between March 8 and 15, 1974. White House transcripts of these eight conversations appeared in a publication entitled "Submission of Recorded Presidential Conversations" delivered to the Committee and released by President Nixon to the public on April 30, 1974.

The seven White House transcripts received by the Special Prosecutor in January 1974 and by the Committee in March 1974 are nearly the same (except for minor differences, deletion of expletives, and the differences footnoted in this document in the September 15, 1972 conversation) as the published White House edited transcripts.

This document contains comparisons between certain passages in the transcripts of the eight conversations delivered by the President to the Committee and released to the public in April and the same passages as transcribed by the Committee's Inquiry staff. It does not reflect all differences between the two sets of transcripts. It does not draw any conclusions as to the reasons for, or the significance of, the differences. It has been prepared solely as an aid to the Committee in its deliberations. Each of the passages compared in this volume should be read in the context of the entire conversation from which it is taken.

Page citations are to the volume entitled, "Transcripts of Eight Recorded Presidential Conversations" published by the Committee, and to the blue volume released by the White House entitled, "Submission of Recorded Presidential Conversations, April 30, 1974."



(v)

Conversation in the Oval Office

Among the President, H. R. Haldeman, and John Dean

SEPTEMBER 15, 1972, FROM 5:24 TO 6:17 P.M.

SEPTEMBER 15, 1972

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 2

PRESIDENT. Well, you had quite a day today, didn't you? You got, uh, Watergate, uh, on the way, huh?

DEAN. Quite a three months.

WHITE HOUSE TRANSCRIPT, p. 55

P [. . .] You had quite a day today didn't you. You got Watergate on the way didn't you?

D We tried.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, pp. 9-10

PRESIDENT. They're all in it together.

DEAN. That's right.

PRESIDENT. They should just, uh, just behave and, and, recognize this, this is, again, this is war. We're getting a few shots and it'll be over. And, we'll give them a few shots. It'll be over. Don't worry. [Unintelligible] I wouldn't want to be on the other side right now. Would you? I wouldn't want to be in Edward Bennett Williams', Williams' position after this election.

DEAN. No. No.

PRESIDENT. None of these bastards—

DEAN. He, uh, he's done some rather unethical things that have come to light already, which in—again, Richey has brought to our attention.

PRESIDENT. Yeah.

DEAN. He went down—

HALDEMAN. Keep a log on all that.

DEAN. Oh, we are, on these. Yeah.

PRESIDENT. Yeah.

HALDEMAN. Because afterwards that is a guy,

PRESIDENT. We're going after him.

WHITE HOUSE TRANSCRIPT, pp. 64-65

P We are all in it together.

This is a war.

We take a few shots and it will be over. We will give them a few shots and it will be over. Don't worry. I

wouldn't want to be on the other side right now. Would you?

[P I wouldn't want to be in Edward Bennett Williams' position after this election.]¹

[D No.]

[He has done some rather unethical things that have come about already and Ritchie has brought them to our attention.]

[H Keep a log on them]

[because afterwards that is a guy]

¹ The bracketed material does not appear in the volume of White House edited transcripts, "Submission of Recorded Presidential Conversation, April 30, 1974." It is in the White House transcript which was given to the Special Prosecutor in January 1974 and the Judiciary Committee in March 1974.

SEPTEMBER 15, 1972

HALDEMAN. that is a guy we've got to ruin.

DEAN. He had, he had an ex parte—
PRESIDENT. You want to remember,
too, he's an attorney for the
Washington Post.

DEAN. I'm well aware of that.

PRESIDENT. I think we are going to fix the son-of-a-bitch. Believe me. We are going to. We've got to, because he's a bad man.

DEAN. Absolutely.

PRESIDENT. He misbehaved very badly in the Hoffa matter. Our—some pretty bad conduct, there, too, but go ahead.

DEAN. Well, that's uh, along that line, uh, one of the things I've tried to do, is just keep notes on a lot of people who are emerging as,

PRESIDENT. That's right.

DEAN. as less than our friends.

PRESIDENT. Great.

[we have
to ruin.]¹

[P You want to remember
he is also the lawyer for the
Washington Post.]

[We are going
to fix (expletive deleted) believe
me. We've got
to. He is a bad man.]

[He misbehaved very badly
in the (inaudible).]

D Along that line, one of the things I've tried to do, I have begun to keep notes on a lot of people who are emerging as less than our friends [. . .]

¹ The bracketed material does not appear in the volume of White House edited transcripts, "Submission of Recorded Presidential Conversations, April 30, 1974." It is in the White House transcript which was given to the Special Prosecutor in January 1974 and the Judiciary Committee in March 1974.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 15

WHITE HOUSE TRANSCRIPT, p. 71

HALDEMAN. The Post is—

PRESIDENT. The Post has asked—
it's going to have its problems.

HALDEMAN. [Unintelligible]

DEAN. The networks, the networks
are good with Maury coming back three
days in a row and—

PRESIDENT. That's right. Right.
The main thing is the Post is going
to have damnable, damnable problems
out of this one. They have a
television station

DEAN. That's right, they do.

PRESIDENT. and they're going to
have to get it renewed.

HALDEMAN. They've got a radio
station, too.

PRESIDENT. Does that come up too?
The point is, when does it come up?

DEAN. I don't know. But the
practice of non-licensees filing on top
of licensees has certainly gotten more,

PRESIDENT. That's right.

DEAN. more active in the, in the
area.

PRESIDENT. And it's going to be
God damn active here.

DEAN. [Laughs]

PRESIDENT. Well, the game has to be
played awfully rough. I don't know—
Now, you, you'll follow through with—
who will over there? Who—Timmons,
or with Ford, or—How's it going to
operate?

HALDEMAN. I'll talk to Bill. I
think—Yeah.

[P Sure. This is alright.

The main thing is the Post is going
to have damnable time—
they have a
television station]¹

[and they are going to
have it renewed.]

[H They have a radio
station, too.]

[P Does that come under too?]

[D Non-licencees file
on top of licencees.]

[P It is going to be
(expletive deleted) active here.]

[P The game has to be
played awfully rough. I don't know
who now, but you will talk
to Bill. I don't know
which one.]

H Yes, I will talk to Bill.

¹ The bracketed material does not appear in the volume of White House edited transcripts, "Submission of Recorded Presidential Conversations, April 30, 1974." It is in the White House transcript which was given to the Special Prosecutor in January 1974 and the Judiciary Committee in March 1974.

Conversation in the Oval Office

Between the President and John Dean

FEBRUARY 28, 1793, FROM 9:12 TO 10:23 A.M.

FEBRUARY 28, 1973

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 40

PRESIDENT. [. . .] I feel for those poor guys in jail, I mean, I don't know—particularly for Hunt. Hunt with his wife, uh dead. It's a tough thing.

DEAN. Well,

PRESIDENT. We have to do [unintelligible]

DEAN. every indication

PRESIDENT. You'll have to do—

DEAN. that they're they're hanging in tough right now.

PRESIDENT. What the hell do they expect, though? Do they expect that they will get clemency within a reasonable time?

DEAN. I think they do. [Unintelligible] going to do.

PRESIDENT. What would you say? What would you advise on that?

DEAN. Uh, I think it's one of those things we'll have to watch very closely. For example—

PRESIDENT. You couldn't do it, you couldn't do it, say, in six months?

DEAN. No.

PRESIDENT. No.

DEAN. No, you couldn't. [. . .]

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, pp. 40-41

PRESIDENT. [. . .] "I will not comment on the hearings while they are in process." [Unintelligible.] And then I, of course if they break through—if they get a lot luckier—But you see, it's best not to elevate—and I get Ziegler to do the same—it's best not to

WHITE HOUSE TRANSCRIPT, p. 102

P [. . .] I feel for those poor guys in jail, particularly for Hunt with his wife dead.

D Well there is

every indication

they are hanging in tough right now.

P What the hell do they expect though? Do they expect clemency in a reasonable time?

P What would you advise on that?

D I think it is one of those things we will have to watch very closely. For example—

P You couldn't do it, say, in six months.

D No, you couldn't. [. . .]

WHITE HOUSE TRANSCRIPT, p. 103

P [. . .] I will not comment on the hearings while they are in process. Of course if they break through—if they get muckraking—It is best not to cultivate

FEBRUARY 28, 1973

elevate that thing here to the White House. 'Cause I don't want the White House gabbing around about the God damned thing. Now there, of course, you'd say, "But you leave it all to them."

[High frequency tone for four seconds.]

PRESIDENT. our policy. But the President should not become [unintelligible] on this case. Do you agree to that?

that thing here at the White House. If it is done at the White House again they are going to drop the (adjective deleted) thing. Now there, of course, you say but you leave it all to them. We'll see as time goes on. Maybe we will have to change our policy. But the President should not become involved in any part of this case. Do you agree with that?

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 43

DEAN. . . . So I'm not worried
PRESIDENT. Yeah.
DEAN. about Herb at all.
PRESIDENT. Oh, well, it, it'll be hard for him, he—
'cause it'll, it'll get out about about Hunt. It, it—
I suppose the big thing is the financing transaction they'll go after. How did the money get to the Bank of Mexico, and so forth and so on.

WHITE HOUSE TRANSCRIPT p. 106

D [. . .] so I am not worried about Herb at all.
P Oh well, it will be hard for him.

I suppose the big thing is the financing transaction that they will go after him for. How does the money get to the Bank of Mexico, etc.

Conversation in the Oval Office

Among the President, John Dean, and H. R. Haldeman

MARCH 13, 1973, FROM 12:42 TO 2 P.M.

MARCH 13, 1973

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 71

PRESIDENT. Did Strachan?

DEAN. Yes.

PRESIDENT. He knew?

DEAN. Yes.

PRESIDENT. About the Watergate?

DEAN. Yes.

PRESIDENT. Well then, Bob knew.

He probably told Bob, then.

He may not have. He may not have.

DEAN. He was, he was judicious in what he, in what he relayed, and, uh, but Strachan is as tough as nails. I—

PRESIDENT. What'll he say? Just go in and say he didn't know?

DEAN. He'll go in and stonewall it and say, "I don't know anything about what you are talking about."

He has already done it twice, as you know, in interviews.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 72

DEAN. That's right. And I said, "Chuck, people have said that you were involved in this, involved in that, involved in this." And he said, "I—that's not true," and so on and so forth.

Uh, I don't, I think that Chuck had knowledge that something was going on over there.

A lot of people around here had knowledge that something was going on over there.

They didn't have any knowledge of the details of the specifics of, of the whole thing.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 72

PRESIDENT. It was a dry hole, huh?

DEAN. That's right.

PRESIDENT. Jesus Christ.

WHITE HOUSE TRANSCRIPT, p. 146

P Strachan?

D Yes.

P He knew?

D Yes.

P About the Watergate?

D Yes.

P Well, then,
he probably told Bob.

He may not have.

D He was judicious in what he relayed,
but Strachan is as tough as nails.

He can go in and stonewall, and say, "I don't know anything about what you are talking about." He has already done it twice you know, in interviews.

WHITE HOUSE TRANSCRIPT, pp. 147-48

D That's right. I said, "Chuck, people have said that you were involved in this, involved in that, involved in all of this. He said, "that is not true, etc."

I think that Chuck had knowledge that something was going on over there,

but he didn't have any knowledge of the details of the specifics of the whole thing.

WHITE HOUSE TRANSCRIPT, p. 148

P A dry hole?

D That's right.

P (Expletive deleted)

MARCH 13, 1973

DEAN. Well, they were just really getting started.

PRESIDENT. Yeah. Yeah. But, uh, Bob one time said something about the fact we got some information about this or that or the other, but, I, I think it was about the Convention, what

they were planning,
I said [unintelligible].

So I assume that must have been MacGregor, I mean not MacGregor, but Segretti.

DEAN. No.

PRESIDENT. Bob must have known about Segretti.

DEAN. Well, I—Segretti really wasn't involved in the intelligence gathering to speak of at all.

HOUSE JUDICIARY COMMITTEE TRANSCRIPT, p. 73

PRESIDENT [Unintelligible] to think that Mitchell and Bob would allow, would have allowed this kind of operation to be in the Committee.

DEAN. I don't think he knew it was there.

PRESIDENT. You kidding?

DEAN. I don't—

PRESIDENT. You don't think Mitchell knew about this thing?

DEAN. Oh, no, no, no.

Don't mis—

I don't think he knew that people—

I think he knew that Liddy was out intelligence-gathering.

PRESIDENT. Well?

DEAN. I don't think he knew that Liddy would use a fellow like McCord, for God's sake, who worked for the Committee.

I can't believe that. [. . .]

D Well, they were just really getting started.

P Yeah.

Bob one time said something to me about something.

this or that or something, but I think it was something about the Convention, I think it was about the convention problems they were planning something.

I assume that must have been MacGregor—not MacGregor, but Segretti.

D No,

Segretti wasn't involved in the intelligence gathering piece of it at all.

WHITE HOUSE TRANSCRIPT, p. 149

P To think of Mitchell and Bob would have allowed—would have allowed—this kind of operation to be in the campaign committee!

D I don't think he knew it was there.

P I don't think that Mitchell knew about this sort of thing.

D Oh, no, no!

Don't misunderstand me. I don't think that he knew the people.

I think he knew that Liddy was out intelligence gathering.

I don't think he knew that Liddy would use a fellow like McCord, (expletive removed), who worked for the Committee. I can't believe that.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 74

WHITE HOUSE TRANSCRIPT, p. 150

PRESIDENT. Well, what about the hang-out thing?

[Unknown person enters, receives instruction from the President to take something to Haldeman, and leaves the room.]

PRESIDENT. Uh, is it too late to, to, frankly, go the hang-out road? Yes, it is.

DEAN. I think it is. I think— Here's the—The hang-out road—

PRESIDENT. The hang-out road's going to have to be rejected. I, some, I understand it was rejected.

DEAN. It was kicked around. Bob and I and, and, and—

PRESIDENT. I know Ehrlichman always felt that it should be hang-out.

[Unintelligible]

DEAN. Well, I think I convinced him why that he wouldn't want to hang-out either. There is a certain domino situation here.

[. . . .]

P Is it too late to go the hang-out road?

D Yes, I think it is.

The hang-out road—

P The hang-out road (inaudible).

D It was kicked around Bob and I and—

P Ehrlichman always felt it should be hang-out.

D Well, I think I convinced him why he would not want to hang-out either. There is a certain domino situation here.

[. . . .]

Conversation in the Oval Office

Among the President, John Dean, and H. R. Haldeman

MARCH 21, 1973, FROM 10:12 TO 11:55 A.M.

MARCH 21, 1973 A.M.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 84

DEAN. I will go back over that,
and tell

PRESIDENT. Was that Colson?

DEAN. you where I think the,
the soft spots are.

PRESIDENT. Colson—that, that, that
Colson, uh, you think was the, uh,
was the person who

DEAN. I think he,

PRESIDENT. pushed?

WHITE HOUSE TRANSCRIPT, p. 178

D I will go back over that,
and take out any of

the soft spots.

P Colson,
you think
was the person who

pushed?

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 90

PRESIDENT. [Unintelligible]. Maybe—
Well, whether it's maybe too
late to do anything about it,
but I would certainly keep
that, [laughs] that cover for
whatever it's worth.

DEAN. I'll—

PRESIDENT. Keep the Committee.

DEAN. Af—, after, well, that, that, that's

PRESIDENT. [Unintelligible]

WHITE HOUSE TRANSCRIPT, p. 187

P [unintelligible]

but I would certainly keep
that cover for
whatever it is worth.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 94

PRESIDENT. Let me say, there
shouldn't be a lot of people
running around getting money.
We should set up a little—

WHITE HOUSE TRANSCRIPT, p. 194

P Let me say there
shouldn't be a lot of people
running around getting money—

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 96

PRESIDENT. Well, your, your major,
your major guy to keep

WHITE HOUSE TRANSCRIPT, p. 196

P Your major
guy to keep

MARCH 21, 1973 A.M.

under control is Hunt.

DEAN. That's right.

PRESIDENT. I think. Because he knows

DEAN. He knows so much.

PRESIDENT. about a lot of other things.

DEAN. He knows so much. Right.

Uh, he could sink Chuck Colson.

[. . . .]

under control is Hunt?

D That is right.

P I think. Does he know a lot?

D He knows so much.

He could sink Chuck Colson.

[. . . .]

HOUSE JUDICIARY COMMITTEE TRANSCRIPT, p. 96

DEAN. Now we've got

Kalmbach. [Coughs]

PRESIDENT. Yeah, that's a tough one.

HOUSE JUDICIARY COMMITTEE TRANSCRIPT, p. 97

DEAN. [. . . .] Uh, I don't know of anything that Herb has done that is illegal, other than the fact that he doesn't want to blow the whistle on a lot of people, and may find himself in a perjury situation.

PRESIDENT. Well, if he, uh, he could—because he will be asked about that money?

WHITE HOUSE TRANSCRIPT, p. 197

D Now we've got

Kalmbach. [. . . .]

WHITE HOUSE TRANSCRIPT, p. 198

D [. . . .] I don't know of anything that Herb has done that is illegal, other than the fact that he doesn't want to blow the whistle on a lot of people, and may find himself in a perjury situation. [. . . .]

HOUSE JUDICIARY COMMITTEE TRANSCRIPT, pp. 97-98

PRESIDENT. How would you handle him, then, John. For example, would you just have him put the whole thing out?

DEAN. [Draws breath]

PRESIDENT. I don't think so.

WHITE HOUSE TRANSCRIPT, p. 198

P How would you handle him, John, for example? Would you just have him put the whole thing out?

I mean I don't mind the five hundred thousand dollars and I don't mind the four hundred thousand dollars

DEAN. No, that, PRESIDENT. for activities [unintelligible]

DEAN. that, that, uh, that doesn't bother me either.

There's—as I say, Herb's problems are

PRESIDENT. There's a surplus—

DEAN. politically embarrassing, but not as—not criminal.

PRESIDENT. Well, they're embarrassing, sure—he, he just handled matters that were between the campaigns, before anything was done. [. . .]

I don't mind the \$500,000 and the \$400,000.

D No—that

doesn't bother me either. As I say, Herb's problems are

politically embarrassing, but not criminal.

P Well he just handled matters between campaigns. [. . .]

HOUSE JUDICIARY COMMITTEE TRANSCRIPT, p. 98

PRESIDENT. All right. How do your other vulnerabilities go together?

DEAN. The other vulnerabilities: We've got a, uh, runaway Grand Jury up in the Southern District.

PRESIDENT. Yeah, I heard.

DEAN. They're after Mitchell and Stans on some sort of bribe or influence peddling

PRESIDENT. On Vesco.

DEAN. with Vesco.

PRESIDENT. Yeah.

DEAN. Uh, they're also going to try to drag Ehrlichman into that. Apparently, Ehrlichman had some meetings with Vesco, also.

Uh, Don Nixon, Jr., came in to see John a couple of times, uh, about the problem.

PRESIDENT. Not about the complaint.

DEAN. That, there's uh—the fact of the matter is—

PRESIDENT. [Unintelligible] about a job.

WHITE HOUSE TRANSCRIPT, p. 199

P How about the other probabilities?

D We have a runaway Grand Jury up in the Southern District.

They are after Mitchell and Stans on some sort of bribe or influence peddling

with Vesco. [. . .]

D They are also going to try to drag Ehrlichman into that. Apparently Ehrlichman had some meetings with Vesco, also.

Don Nixon, Jr. came into see John a couple of times about the problem.

P Not about Vesco, but about Don, Jr.?

MARCH 21, 1973 A.M.

DEAN. That's right. And, and,
and, uh, I—

PRESIDENT. We're, is it—
Ehrlichman's totally to blame
on that.

DEAN. Yeah, well, I think the
White House—

PRESIDENT. [Unintelligible]

DEAN. No one has done anything
for—

PRESIDENT. —Vesco. Matter of—
not for the prosecutor.

Ehrlichman never did anything
for Vesco?

D No one at the
White House

has done anything
for
Vesco.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 100

DEAN. That's what really troubles
me. For example, what happens
if it starts breaking, and they do
find a criminal case against a
Haldeman, a Dean, a Mitchell, an
Ehrlichman? Uh, that is—

PRESIDENT. Well if it really
comes down to that, we cannot,
maybe—We'd have to
shed it in order to contain it again.

WHITE HOUSE TRANSCRIPT, p. 201

D That is what really troubles
me. For example, what happens
if it starts breaking, and they do
find a criminal case against a
Haldeman, a Dean, a Mitchell, an
Ehrlichman? That is—

P If it really
comes down to that,
we would have to
(unintelligible) some of the men.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 100

DEAN. I know, sir, it is. Well
I can just tell from our
conversations that, you know,
these are things that you
have no knowledge of.

PRESIDENT. The absurdity of
the whole damned thing,

DEAN. But it—

PRESIDENT. bugging and so on.
[. . .]

WHITE HOUSE TRANSCRIPT, p. 202

D I know, sir.
I can just tell from our
conversation that
these are things that you
have no knowledge of.

P You certainly can!

Buggings, etc! [. . .]

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 100-01

PRESIDENT. Called [unintelligible]
and said, "We've got a , we've got a
good plan." I don't know what the

WHITE HOUSE TRANSCRIPT, p. 202

Christ he would be doing. Oh, I'll bet you. I know why.
That was at the time of ITT.
He was trying to get something going there because ITT,
they were bugging us. I mean they were

DEAN. Right.

PRESIDENT. giving us hell.

DEAN. Well, I know, I know he used, uh,

PRESIDENT. Hunt to go out there?

DEAN. Hunt.

PRESIDENT. I know about it.

DEAN. Yeah.

PRESIDENT. I did know about it.

Uh, I knew that there was, there was something going on there,

DEAN. Right.

PRESIDENT. but I didn't know it was Hunt.

P All I know about is the time of ITT, he was trying to get something going there because ITT was

giving us a bad time.

D I know he used

Hunt.

P I knew about that.

I didn't know about it, but I knew there was something going on.

But I didn't know it was a Hunt.

HOUSE JUDICIARY COMMITTEE TRANSCRIPT, p. 104

DEAN. —to me there was no way

PRESIDENT. Yeah.

DEAN. that, uh—

PRESIDENT. Yeah.

DEAN. But to burden this second Administration

PRESIDENT. We're all in on it.

DEAN. was something that—

It's something that is not going to go away.

WHITE HOUSE TRANSCRIPT, p. 207

D [...] You know, with me there was no way,

but the burden of this second Administration

is something that is not going to go away.

HOUSE JUDICIARY COMMITTEE TRANSCRIPT, p. 104

DEAN. And it seems to me the only way that—

PRESIDENT. Who else, though? Let's, let's leave you and—

I don't I don't,

I don't think on the, on, uh, on the obstruction of justice thing—

PRESIDENT. I know about it.

D And it seems to me the only way—

P Well, also so let's leave you out of it.

I don't think on the obstruction of justice thing—

MARCH 21, 1973 A.M.

I think that one we can handle.

I, I don't know why I

feel that way, but I—

DEAN. Well, it is possible
that I

PRESIDENT. I, I think you may be
overplaying [.]

I take that out.

I don't know why, I

think you may be over that cliff.

D Well, it is possible.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 105

DEAN. I think we've got to
look—

PRESIDENT. But at the moment, don't
you agree that you'd better
get the Hunt thing? I mean,
that's worth it,
at the moment.

DEAN. That, that's worth buying
time on, right.

PRESIDENT. And that's buying time
on, I agree.

WHITE HOUSE TRANSCRIPT, p. 209

D [.] I think we've got to
look—

P But at the moment, don't
you agree it is better
to get the Hunt thing
that's where that—

D That is worth buying
time on

P That is buying time,
I agree.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 108

PRESIDENT. Let me say, though that
Hunt [unintelligible] hard
line, and that a convicted
felon is going to go out
and squeal [unintelligible]
as we about this
[unintelligible] decision
[unintelligible]
turns on that.

WHITE HOUSE TRANSCRIPT, p. 213

D [.] Let me say
(unintelligible) How
do we handle all
(unintelligible)

who knew all about this
in advance.
Let me have some of
your thoughts on that.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 109

PRESIDENT. [.] Whether the line
is one of, uh, continuing to,
uh, run a, try to run
a total stone wall,
and take the heat from that,
uh, having in mind
the fact that, uh, there are
vulnerable points there;

WHITE HOUSE TRANSCRIPT, p. 215

P [.] Whether the line
is one of continuing to
run
a kind of stone wall,
and take the heat from that,
having in mind
the fact that there are
vulnerable points there;—

the vulnerable points being, that, well,
the first vulnerable points would
be obvious. In other words,
it would be if, uh, uh, one of the,
uh, defendants, particularly Hunt,
of course, who is the most
vulnerable in my opinion,
might, uh, blow the whistle,
and he, he—and his price is
pretty high, but at least, uh,
we should, we should
buy the time on that, uh,
as I, as I pointed out to John.
[. . .]

the vulnerable points being,
the first vulnerable points would
be obvious.
That would be one of the
defendants, either Hunt,
because he is most
vulnerable in my opinion,
might blow the whistle
and his price is
pretty high, but at least
we can
buy the time on that
as I pointed out to John.
[. . .]

HOUSE JUDICIARY COMMITTEE TRANSCRIPT, p. 110

PRESIDENT. Fortunately, fortunately,
with Chuck it is very—
I, I talk to him about
many, many political things,
but I never talk
about this sort of thing
'cause he's, uh, he's very harmful,
I mean I don't think—
he must be damn sure
I don't know anything.
And I don't. In fact,
I'm rather surprised
at what you told me today.
From what you said, I
gathered the impression,
and of course your, your, your
analysis does not for sure,
uh, indicate that Chuck knew
that it was a bugging operation
for certain.

WHITE HOUSE TRANSCRIPT, p. 218

P Ok. Fortunately,
with Chuck it is very—
I talk to him about
many, many political things,
but I have never talked with him
about this sort of thing.
Very probably,
I think
he must be damn sure
that I didn't know anything.
And I don't. In fact,
I am surprised
by what you told me today.
From what you said, I
gathered the impression,
and of course your
analysis does not for sure
indicate that Chuck knew
that it was a bugging operation.

HOUSE JUDICIARY COMMITTEE TRANSCRIPT, p. 112

PRESIDENT. That's right, but not—
all right. The point is, the point is
this, that, uh, it's
now time, though, to, uh,
that Mitchell has got to sit
down, and know where the
hell all this thing stands, too.

WHITE HOUSE TRANSCRIPT, p. 220

P The point is
this, that it is
now time, though,
that Mitchell has got to sit
down, and know where the
hell all this thing stands, too.

MARCH 21, 1973 A.M.

You see, John is concerned, as you know, Bob, about, uh, Ehrlichman, which, uh, worries me a great deal because it's a, uh, it— and it, and this is why the Hunt problem is so serious, uh, because, uh, it had nothing to do with the campaign.

You see, John is concerned, as you know, about the Ehrlichman situation. It worries him a great deal because, and this is why the Hunt problem is so serious, because it had nothing to do with the campaign. [. . .]

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, pp. 114-15

PRESIDENT. And that means, we got to, we've got to keep it off of you, uh, which I, which I [unintelligible] obstruction of justice thing. We've got to keep it off Ehrlichman. We've got to keep it, naturally, off of Bob, off Chapin, if possible, and Strachan. Right?

DEAN. Uh huh.

PRESIDENT. And Mitchell. Right?

DEAN. Uh huh.

PRESIDENT. Now.

HALDEMAN. And Magruder, if you can. But that's the one you pretty much have to give up.

WHITE HOUSE TRANSCRIPT, p. 225

P And that means keeping it off you. Herb has started this Justice thing. We've got to keep it off Herb. You have to keep it, naturally, off of Bob, off Chapin, if possible, Strachan, right?

D Uh, huh.

P And Mitchell. Right?

D Uh, huh.

H And Magruder, if you can.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 116

PRESIDENT. The only thing you could do with him would be to parole him for a period of time because of his family situation. But you couldn't provide clemency.

WHITE HOUSE TRANSCRIPT, p. 227

P The only thing we could do with him would be to parole him like the (unintelligible) situation. But you couldn't buy clemency.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 118

HALDEMAN. And then they never replenished it, so we just gave

WHITE HOUSE TRANSCRIPT, p. 230

H They hadn't replenished, so we just gave

it all back anyway.

PRESIDENT. I have a feeling we could handle this one. Well—

DEAN. Well, first of all, they'd have a hell of a time proving it. Uh, that's one thing. Uh—

PRESIDENT. Yeah, yeah—I just have a feeling on it. But let's now come back to the money, a million dollars, and so forth and so on. Let me say that I think you could get that in cash,

and I know money is hard, but there are ways.

That could be [unintelligible].

But the point is, uh, what would you do on that—Let's, let's look at the hard facts.

it all back anyway.

P I had a feeling we could handle this one.

D Well, first of all, I would have a hell of a time proving it. That is one thing.

P I just have a feeling on it. Well, it sounds like a lot of money, a million dollars.

Let me say that I think we could get that.

I know money is hard to raise.

But the point is, what we do on that—Let's look at the hard problem—

HOUSE JUDICIARY COMMITTEE TRANSCRIPT, p. 119

PRESIDENT. Yeah, these fellows—But of course you know, these fellows though, as far as that plan was concerned.

HALDEMAN. But what is there?

PRESIDENT. As far as what happened up to this time, our cover there is just going to be the Cuban Committee did this for them up through the election.

HOUSE JUDICIARY COMMITTEE TRANSCRIPT, p. 120

PRESIDENT. That's right. Just be damned sure you say I don't

HALDEMAN. Yeah—

PRESIDENT. remember; I can't recall, I can't give any honest, an answer to that that I can recall. But that's it.

WHITE HOUSE TRANSCRIPT, p. 231

P These fellows though, as

far as what has happened up to this time, are covered on their situation, because the Cuban Committee did this for them during the election?

HOUSE JUDICIARY COMMITTEE TRANSCRIPT, p. 120

WHITE HOUSE TRANSCRIPT, p. 235

P But you can say I don't

remember. You can say I can't recall. I can't give any answer to that that I can recall.

MARCH 21, 1973 A.M.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 121

PRESIDENT. that's why your, for your immediate thing you've got no choice with Hunt but the hundred and twenty or whatever it is. Right?

DEAN. That's right.

PRESIDENT. Would you agree that that's a buy time thing, you better damn well get that done, but fast?

DEAN. I think he ought to be given some signal, anyway, to, to—

PRESIDENT. Yes.

DEAN. Yeah—you know.

PRESIDENT. Well for Christ's sakes get it in a, in a way that, uh—who's, who's going to talk to him? Colson? He's the one who's supposed to know him.

WHITE HOUSE TRANSCRIPT, pp. 236-37

P That's why for your immediate things you have no choice but to come up with the \$120,000, or whatever it is. Right?

D That's right.

P Would you agree that that's the prime thing that you damn well better get that done?

D Obviously he ought to be given some signal anyway.

P (Expletive deleted), get it. In a way that—who is going to talk to him? Colson? He is the one who is supposed to know him?

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 122

DEAN. Well, I, uh, I gather LaRue just leaves it in mail boxes and things like that, and tells Hunt

to go pick it up.

Someone phones Hunt and tells him to pick it up. As I say, we're a bunch of amateurs in that business.

WHITE HOUSE TRANSCRIPT, pp. 237-38

D Well, I got it to LaRue by just leaving it in mail boxes and things like that. And

someone phones Hunt to come and pick it up. As I say, we are a bunch of amateurs in that business.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 122

PRESIDENT. Well, the main point, now, is the people who will need the money [unintelligible]. Well of course, you've got the surplus from the campaign. That we have to account for.

WHITE HOUSE TRANSCRIPT, p. 238

P Well, of course you have a surplus from the campaign.

But if there's any other money hanging around—

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 125

PRESIDENT. But, but my point is, do you ever have any choice on Hunt? That's the point.

DEAN. [Sighs]

PRESIDENT. No matter what we do here now, John,

DEAN. Well, if we—

PRESIDENT. Hunt eventually, if he isn't going to get commuted and so forth, he's going to blow the whistle.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, P. 125-26

DEAN. Uh, we don't, it doesn't

PRESIDENT. Including Ehrlichman's use of Hunt on the other deal?

DEAN. That's right.

PRESIDENT. You'd throw that out?

DEAN. Uh, well, Hunt will go to jail for that too—he's got to understand that.

PRESIDENT. That's the point too. I don't think that—I wouldn't throw that out. I think I would limit it to—I don't think you need to go into every God damned thing Hunt has done.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 129-30

PRESIDENT. All right. Fine. And, uh, my point is that, uh, we can, uh, you may well come—

Is there any other money hanging around?

WHITE HOUSE TRANSCRIPT, p. 242

P But my point is, do you ever have any choice on Hunt? That is the point.

No matter what we do here now, John,

whatever he wants if he doesn't get it—immunity, etc., he is going to blow the whistle.

WHITE HOUSE TRANSCRIPT, p. 243

D [. . .]—And we don't, it doesn't—

P (Unintelligible) for another year.

D That's right.

P And Hunt would get off by telling them the Ellsberg thing.

D No Hunt would go to jail for that too—he should understand that.

P That's a point too. I don't think I would throw that out.

I don't think we need to go into everything. (adjective deleted) thing Hunt has done.

WHITE HOUSE TRANSCRIPT, p. 248

P Alright. Fine. And my point is that

I think it is good, frankly, to consider these various options. And then, once you, once you decide on the plan—John—and you had the right plan, let me say, I have no doubts about the right plan before the election. And you handled it just right. You contained it. Now after the election we've got to have another plan, because we can't have, for four years, we can't have this thing—we're going to be eaten away. We can't do it.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 130

DEAN. Well, there's been a change in the mood—

HALDEMAN. John's point is exactly right, that the erosion here now is going to you, and that is the thing that we've got to turn off, at whatever the cost. We've got to figure out where to turn it off at the lowest cost we can, but at whatever cost it takes.

DEAN. That's what, that's what we have to do.

PRESIDENT. Well, the erosion is inevitably going to come here, apart from anything, you know, people saying that, uh, well, the Watergate isn't a major concern. It isn't. But it would, but it will be. It's bound to be. DEAN. We cannot let you be tarnished by that situation.

PRESIDENT. Well, I [unintelligible] also because I—Although Ron Ziegler has to go out—They blame the [unintelligible] the White House [unintelligible]

DEAN. That's right.

PRESIDENT. We don't, uh, uh, I say that the White House can't do it. Right?

HALDEMAN. Yeah.

DEAN. Yes, sir.

I think it is good, frankly to consider these various options. And then, once you decide on the right plan, you say, "John,"

you say, "No doubts about the right plan before the election. You handled it just right. You contained it. And now after the election we have to have another plan. Because we can't for four years have this thing eating away." We can't do it.

WHITE HOUSE TRANSCRIPT, p. 249

H We should change that a little bit. John's point is exactly right. The erosion here now is going to you, and that is the thing that we have to turn off at whatever cost. We have to turn it off at the lowest cost we can, but at whatever cost it takes.

D That's what we have to do.

P Well, the erosion is inevitably going to come here, apart from anything and all the people saying well the Watergate isn't a major issue. It isn't. But it will be. It's bound to.

(Unintelligible)

has to go out. Delaying is the great danger to the White House area.

We don't I say that the White House can't do it. Right?

D Yes, Sir.

Conversation in the EOB Office

**Among the President, John Dean, John Ehrlichman, and
H. R. Haldeman**

MARCH 21, 1973, FROM 5:20 TO 6:01 P.M.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 132

PRESIDENT. But, does, uh, does anybody, uh, really think, really think that really we should do nothing? That's the other, I mean, that's, that's the option, period. If, uh—keep fighting it out on this ground if it takes all summer.

HALDEMAN. Which it will.

PRESIDENT. That's the other thing, whether we're going to, say, to contain the thing.

EHRLICHMAN. Well, we've talked about that. We talked about, uh, possible opportunities in the Senate, that, that may turn up that we don't foresee now.

In other words, that you go in and start playing for the odds.

Keep trying to put out fires here and there.

The problem of the Hunt thing [. . .]

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 133

EHRLICHMAN. Well, my, my view is that, that, uh, Hunt's interests lie in getting a pardon if he can. That ought to be, somehow or another, one of the options that he is most particularly concerned about. Uh, his, his indirect contacts with John don't contemplate that at all. Well, maybe they, maybe they contemplate it—but they say there's going [unintelligible]

PRESIDENT. I know.

HALDEMAN. That's right.

WHITE HOUSE TRANSCRIPT, pp. 251-52

P [. . .] Does anybody really think we can do nothing? That's the option, period. If he fights it out on this ground, it takes all summer.

H Which it will.

P That's it, whether or not today at the danger point.

H Well, we have talked about that. We have talked about possible opportunities in the Senate. Things may turn up that we don't foresee now.

Some people may be sort of playing the odds.

E The problem of the Hunt thing [. . .]

WHITE HOUSE TRANSCRIPT, p. 252

E Well, my view is that Hunt's interests lie in getting a pardon if he can. That ought to be somehow or another one of the options that he is most particularly concerned about. Now, his indirect contacts with John don't contemplate that at all—(inaudible)

MARCH 21, 1973 P.M.

EHRLICHMAN. They think that that's already understood.

PRESIDENT. Yeah.

EHRLICHMAN. Uh—

PRESIDENT I mean he's got to get that by Christmas time.

DEAN. That's right. [. . .]

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 133

PRESIDENT. If that blows.

EHRLICHMAN. If that blows and, and that's, it seems to me, that the, uh—although at lea—It obviously is understood, that he has really gone over the ground with his attorney that's in there.

PRESIDENT. However, can he, by talking, uh, get pardoned?

Get, get clemency from the court?

P He assumes that's already understood.

D He's got to get that by Christmas, I understand.

E That's right. [. . .]

WHITE HOUSE TRANSCRIPT, pp. 252-53

H If that blows—

E If that blows and that seems to me, although I doubt if he is understood, he has really turned over backwards since he has been in there. However, can he, by talking, get a pardon? Clemency from the Court? [. . .]

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 133

PRESIDENT. So then now—so the point we have to, the bridge you have to cut, uh, cross there is, uh, which you've got to cross, I understand, quite soon, is whether, uh, we, uh, what you do about, uh, his present demand.

Now, what, what, uh, what [unintelligible] about that?

DEAN. Well, apparently Mitchell and, and, uh, uh,

UNIDENTIFIED. LaRue.

DEAN. LaRue are now aware of it, so they know what he is feeling.

PRESIDENT. True. [Unintelligible] do something.

DEAN. I, I have, I have not talked with either.

I think they are in a position to do something, though.

WHITE HOUSE TRANSCRIPT, p. 253

P Yeah. And then so the point we have to, the bridge we have to cross there, that you have to cross I understand quite soon, is what you do about Hunt and his present finance?

What do we do about that?

D Well apparently Mitchell and

LaRue are now aware of it so they know how he is feeling.

P True. Are they going to do something?

D Well, I have not talked with either of them. Their positions are sympathetic.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 134

DEAN. Oh, yeah. Uh, Dwight, for example, now wants a lawyer; uh, uh, Kalmbach has hired himself a lawyer; Colson has retained a lawyer; and now that we've [unintelligible] enough to know that self-protection is setting in.

PRESIDENT. Well, let's not trust them.

DEAN. Surely.

PRESIDENT. Maybe we face the situation, [. . .]

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 135

PRESIDENT. Yeah. That's right. That's the point. That's why I say I'm, I'm going to take a lot of the heat. [Coughs] Well, we have to realize that, uh, the attrition is going to be rather considerable. That, that's your point, isn't it?

DEAN. I think it, it's hard to prevent. Now, that's why I raise the point of, of this immunity concept again. That would take a lot of heat. Obviously, the immunity might—But it also [unintelligible] you find cannot be structured, that you're con—, you're concerned about, there's something lurking here that has been brought to your attention of recent. Uh, now is the time to get the facts. People have been protecting themselves. Dean couldn't get all the information. People wouldn't give it to him. Uh, there are indications now that there are other things, and you'd like to

WHITE HOUSE TRANSCRIPT, p. 254

D [...] Dwight, for example, hired himself a lawyer; Colson has retained a lawyer; and now that we are all starting the self-protection certainly.

P Maybe we face the situation [. . .]

WHITE HOUSE TRANSCRIPT, p. 255

P Well, that is why I say on this one that we have to realize that the system is going to run and that is your problem.

H The only problem (inaudible)

D It is structured. That your concern about, "There is something lurking here."

Now is the time to get the facts before Richard Nixon himself.

Dean couldn't get all the information. People wouldn't give it to him. There are things, there are a lot of things. And if you would like to

MARCH 21, 1973 P.M.

get all this information and lay it before the public, but it's not going to come out if people are going to go take the Fifth Amendment before a grand jury. It'll never be proved.

I—

PRESIDENT. And it isn't going to come out of a committee.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 136

DEAN. All right, is that, is that better? Or is it better to have, you know, just, just keep going and have the thing build up and all of a sudden collapse? And, and people get indicted and people, uh, get tarnished.

PRESIDENT. After we've stonewalled it?

DEAN. After we've stonewalled it, and after the President's been accused of covering up that way.

PRESIDENT. That's the point.

EHRLICHMAN. Or is there another way?

PRESIDENT. Yeah, like—?

EHRLICHMAN. Like the, the Dean statements, where the President then makes a full disclosure of everything which he then has.

And is in a position if it does collapse at a later time to say, "Jesus, I had the FBI, and the Grand Jury, and I had my own counsel. I turned over every rock I could find. [. . .]"

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 136

PRESIDENT. [. . .] I ask for a, a written report, which I think, uh, that—which is very general, understand. Understand, [laughs] I don't want

get all of this information and you lay it before the public, but it is not going to come because some people go

to a Grand Jury and tell the truth.

H Lie?

P And it isn't going to come out of the Committee.

WHITE HOUSE TRANSCRIPT, pp. 256-57

D Alright, is that better? Or is it better to have (inaudible) and things blow up and all of a sudden collapse? Think about it.

H After a little time, the President is accused of covering up that way.

P That isn't the point.

E Or is there another way?

P Yeah, like—

E The Dean statements, where the President then makes a bold disclosure of everything which he then has. And is in a position if it does collapse at a later time to say, "I had the FBI and the Grand Jury, and I had my own Counsel. I turned over every document I could find. [. . .]

WHITE HOUSE TRANSCRIPTS, p. 257

P [. . .] I asked for a written report, which I do not have, which is very general understand.

to get all that God damned specific. I'm thinking now in far more general terms, having in mind the fact that the problem with a specific report is that, uh, this proves this one and that one that one, and you just prove something that you didn't do at all. But if you make it rather general in terms of my—your investigation indicates that this man did not do it, this man did not do it, this man did do that. You are going to have to say that, John, you know, like the, uh, Segretti-Chapin—

I am thinking now in far more general terms, having in mind the facts, that where specifics are concerned,

make it very general, your investigation of the case. Not that "this man is guilty, this man is not guilty," but "this man did do that." You are going to have to say that, John. Segretti (inaudible) [. . .]

HOUSE JUDICIARY COMMITTEE TRANSCRIPT, pp. 139-40

EHRLICHMAN. [. . .] But, uh, beyond that, the question is, did we, did we authorize it, did we condone it, PRESIDENT. Yeah. EHRLICHMAN. did we PRESIDENT. Yeah. EHRLICHMAN. support it? And that kind of thing. PRESIDENT. And that's that part of it. Getting back to the, uh, getting back to this, John, uh, you still sort of tilt to the panel idea yourself?

WHITE HOUSE TRANSCRIPT, p. 261

E [. . .] but beyond that, the question is did he completely authorize (inaudible)

P Yeah. Getting back to this, John. You still tilt to the panel idea yourself?

HOUSE JUDICIARY COMMITTEE TRANSCRIPT, p. 141

PRESIDENT. Strachan. Do the same to him with it. DEAN. Strachan? PRESIDENT. Maybe. Not so much. UNIDENTIFIED. Maybe Jeb. DEAN. [Unintelligible] I think he has a problem. PRESIDENT. Uh, the problem of knowledge of it.

WHITE HOUSE TRANSCRIPT, p. 263

P Strachan. This wouldn't do anything to him would it? D Strachan? I would say yes. About the same as Jeb. H Do you think so? D Yes, I think he has a problem. P What is the problem about?

MARCH 21, 1973 P.M.

HALDEMAN. He has a problem of knowledge.
 Magruder has a problem of action.
 PRESIDENT. Action and perjury.

HOUSE JUDICIARY COMMITTEE
 TRANSCRIPT, p. 143

EHRLICHMAN. You immediately eliminate one of your options. You can, well, you can eliminate the option of the President being able to take the position he knew nothing about it.

HOUSE JUDICIARY COMMITTEE
 TRANSCRIPT, p. 145

EHRLICHMAN. The, the only thing that we can say is for Ziegler to say, "Look, we've investigated backwards and forwards in the White House, and we're satisfied on the basis of the report we have that nobody in the White House has been involved in a burglary; nobody had notice of it, knowledge of it, participated in the planning, or aided or abetted it in any way."

PRESIDENT. Well, that's what you could say.

EHRLICHMAN. And it happens to be true,

PRESIDENT. Yeah.

EHRLICHMAN. as for that transaction.

PRESIDENT. [Laughs] Sure. As for that transaction.

EHRLICHMAN. Right.

PRESIDENT. Well, John, you, uh, you, uh, you must feel that's, uh, is enough.

DEAN. No [unintelligible]

H He has a problem of knowledge.
 D Magruder has a problem of action, action and perjury.

WHITE HOUSE TRANSCRIPT, p. 267

H What are your options?
 E Boy, if you could eliminate the option by taking a legal position. You knew nothing about it.

WHITE HOUSE TRANSCRIPT, p. 269

E The only thing we can say is that we have investigated it backwards and forwards in the White House, and have been satisfied on the basis of the report we had that nobody in the White House has been involved in a burglary, nobody had notice of it, knowledge of it, participated in the planning, or aided or abetted it in any way.

And it happens to be true

as for that transaction.

P John, you don't think that is enough?

D No, Mr. President.

Conversation in the President's EOB Office

**Among the President, John Dean, John Ehrlichman,
H. R. Haldeman, and John Mitchell**

MARCH 22, 1973, FROM 1:57 TO 3:43 P.M.

MARCH 22, 1973 P.M.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 153

EHRLICHMAN. Our brother Mitchell brought us some wisdom on executive privilege which, I believe—

MITCHELL. Technically, Mr. President, I think the only problem [unintelligible] and I'd prefer you just coming out and stating,

PRESIDENT. That's right.

MITCHELL. and, uh, and I would believe that, uh, it would be well worthwhile to consider to spoil the picture to the point where under the proper circumstances you can settle with certain former people in the White House and some [unintelligible] [telephone rings] some of the current people at the White House [telephone rings] under controlled circumstances should go up and, uh—[telephone rings]

WHITE HOUSE TRANSCRIPT, p. 277

E Our Brother Mitchell brings us some knowledge on executive privilege which I believe—

M (Inaudible)

P I wish Byrd would come out and state—

I believe it would be well worthwhile to—

M Well, there certainly could be stronger people in Washington

P There may be some

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 156-57

MITCHELL. But [unintelligible] for the sake of going about discussion, in other words that— Maybe we think that it's appropriate at this time to formalize John's theory on the Segretti matter and the Watergate matter based on the documentation from the FBI and [unintelligible] FBI [unintelligible] in other words based on—Can the Grand Jury—what we know came out of there, the trial [unintelligible] as far as that one incident—whatever the record, uh, could have been available to me. This is why the

WHITE HOUSE TRANSCRIPT, pp. 281-82

M Well, gentlemen for the sake of discussion (inaudible) the normal procedure

for the Segretti matter and the like based on the evaluation of the FBI made (inaudible) or whether it is based on the Grand Jury and the trial transcript or whatever the record could have been available to me—

MARCH 22, 1973

investigation of—we had the memorandum with the back-up—you know, obviously the FBI after all [unintelligible] and so forth couldn't find anything more. It's not expected that you could or [unintelligible] get out by way of their interrogation [unintelligible] uh, two memorandums from Dean is important [unintelligible] appropriate time with it. John did, and say I [unintelligible] all the public records [unintelligible]

PRESIDENT. We've tried that though, John. Uh—

DEAN. [Clears throat] Why won't—

PRESIDENT. We still have grave doubts about it, though.

DEAN. Well, I don't know—

MICHELL. I did too before, Mr. President. [. . .]

investigation of the past memorandum would indict him.
(inaudible)

(two memorandum that the courts have public records)

P We tried that move, John—

M Well, I did too—before Mr. President. [. . .]

HOUSE JUDICIARY COMMITTEE TRANSCRIPT, p. 159

EHRLICHMAN. A case in point: the issue of whether or not I had a phone call reporting the burglary.

DEAN. Right.

EHRLICHMAN. Now, that's all I know about the damn thing is that the Secret Service, or some policeman phoned.

DEAN. But they could go on forever with you on that.

PRESIDENT. Exactly.

DEAN. And I think it ought to be things like we've got in, in this report and this might be, you know, get, give it to Ervin on the confidence that we're not talking about documents being released. We're talking about something that's entirely facts. You could even [unintelligible] write a [unintelligible]

WHITE HOUSE TRANSCRIPT, pp. 284-8

H In case of that the Committee would issue a warrant on our phone calls. Bully!

P That's right.

H That is all I know about the damn thing is that the Secret Service at some point has been bugged.

D And that could go on forever with you on that tack.

I could draw these things like this Staff into this report and have Kleindienst come get it and give it to Ervin in confidence—I am not talking about documents you see. I am talking about something we can spread as facts. You see you could even write a novel with the facts.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, P. 161

MITCHELL. The President's report will show that, uh, your simple thought—your simple involvement was missing in the pub bill.

HALDEMAN. No, it would show more on my book, I'm afraid.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 164

PRESIDENT. Let me ask this. Uh, the, this question is for John Ehrlichman and, uh, John Dean. Uh, now you were the two who felt the strongest, uh, on the executive privilege thing [unintelligible].

If I am not mistaken, you thought we ought to draw the line where we did [unintelligible].

Have you changed your mind now?

DEAN. No sir, I think it's a, I think it's a terrific statement.

It's—It, it puts you just where you should be. It's got enough flexibility in it. It's—

PRESIDENT. But now—what—all that John Mitchell is arguing, then, is that now we, we use flexibility

DEAN. That's correct.

PRESIDENT. In order to get on with the coverup plan.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 170

PRESIDENT. That's right. But the point is, we've got to accept the decision of Judge Byrne's [unintelligible] on the bail. The other thing to do on the Dean thing is say—you'd simply say, "Now, that's out. Dean has—he makes the report. Here's everything Dean knows."

WHITE HOUSE TRANSCRIPT, P. 287

M I think the Court would show that a very simple thought, involvement with the (inaudible)

WHITE HOUSE TRANSCRIPT, p. 290

P Let me ask this. This question is for John Ehrlichman and Dean. You were the two that felt the strongest on executive privilege thing.

If I am not mistaken, you thought we ought to draw a line here.

Have you changed your mind now?

D No, I think it is a terrific statement.

It puts you just where you should be. There is enough flexibility in it.

P Well all John Mitchell is arguing then, is that now we use flexibility

in order to get off the coverup line.

WHITE HOUSE TRANSCRIPT, p. 298

P Well on the Dean thing—you simply say well that is out. Dean has made this report and here is everything Dean knows.

MARCH 22, 1973

DEAN. Right.

PRESIDENT. That's where, that's why the Dean report is critical.

EHRLICHMAN. I think, John, on Monday could say to Ervin if that, uh, question comes up, "I, I know the President's mind on this. He's adamant about my testifying, as such. At the same time he has always indicated that the fruits of my investigation will be known." And just leave it at that for the moment.

E I think John on Monday you could say to Ervin if the question comes up, "I know the President's mind on this and he is adamant about my testifying as such. At the same time he has always indicated that the fruits of my investigation should be available to you." And just leave it at that for the time being.

HOUSE JUDICIARY COMMITTEE TRANSCRIPT, pp. 178-79

PRESIDENT. the, uh—Now, uh, we could—Have you considered any other poss—, have you considered the other, all other possibilities you see here, John?

You, you're the one who is supposed to—

DEAN. That's right. I think we,

PRESIDENT. You know the bodies.

DEAN. I think we've had a good go-round on—

PRESIDENT. You think, you think we want to, want to go this route now? And the—Let it hang out, so to speak?

DEAN. Well, it, it isn't really that—

HALDEMAN. It's a limited hang out.

DEAN. It's a limited hang out.

EHRLICHMAN. It's a modified limited hang out.

PRESIDENT. Well, it's only the questions of the thing hanging out publicly or privately.

DEAN. What it's doing, Mr. President, is getting you up above and away from it. And that's the most important thing.

WHITE HOUSE TRANSCRIPT, pp. 308-09

P Yeah.
Have you considered any

other possibilities?
John,
you are the one who is supposed to

know the bodies.

D That's right. I think we have had a good go-round on the things now.

P Do you think we want to go this route now? Let it hang out so to speak?

D Well, it isn't really that—

H It's a limited hang out.

D It is a limited hang out.
It's not an absolute hang out.

P But some of the questions look big hanging out publicly or privately.

D What it is doing, Mr. President, is getting you up above and away from it. That is the most important thing.

PRESIDENT. Oh, I know. But I suggested that the other day and we all came down on, uh, remember on the negative on it. Now what's changed our mind?

DEAN. The lack of alternatives or a body.

[Laughter.]

EHRLICHMAN. We, went down every alley. [Laughter] Let it go over.

PRESIDENT. Well, I feel that at, uh, I feel that this is, that, uh, I feel that at the very minimum we've got to have the statement and, uh, let's look at it, whatever the hell it is.

If, uh, if it opens up doors, it opens up doors, you know.

P Oh, I know. I suggested that the other day and they all came down—negative on it. Now, what has changed their minds?

D---Lack of a candidate or a body.

H Laughter.

M [Inaudible] We went down every alley.

P I feel that at a

very minimum
we've got to have this statement.
Let's look at it. I don't know what it—where in the hell is it—
If it opens up doors,
it opens up doors—you know.

The following portion at the end of the March 22, 1973 conversation (beginning on p. 180 of the House Judiciary Committee transcripts) does not appear in the "Submission of Recorded Presidential Conversations, April 30, 1974" nor does it appear in the transcript provided by the White House to the Special Prosecutor in January 1974 and to the Judiciary Committee in March 1974.

PRESIDENT. Sure, sure.

EHRLICHMAN. Okay.

[NOTE.—At this point, a portion of the discussion has been deleted.]

MITCHELL. [Unintelligible]

PRESIDENT. Yeah.

MITCHELL. Believe me, it's a lot of work.

PRESIDENT. Oh, great. I may [unintelligible]. Well, let me tell you, you've done a hell of a job here.

UNIDENTIFIED. [Unintelligible]

PRESIDENT. I didn't mean for you. I thought we had a boy here. No, you, uh, John, uh, carried a very, very heavy load. Uh, both Johns as a matter of fact, but, uh, I was going to say, uh, uh, John Dean is, uh, [unintelligible] got—put the fires out, almost got the damn thing nailed down till past the election and so forth. We all know what it is. Embarrassing God damn thing the way it went, and so forth. But, in my view, uh, some of it will come out; we will survive it. That's the way it is. That's the way you've got to look at it.

DEAN. We were within a few miles months ago, but, uh, we're—

PRESIDENT. The point is, get the God damn thing over with.

DEAN. That's right.

PRESIDENT. That's the thing to do. That's the other thing that I like about this. I'd like to get—But you really would draw the line on—But, I know, we can't make a complete cave and have the people go up there and testify. You would agree on that?

MITCHELL. I agree.

MARCH 22, 1973

PRESIDENT. You agree on that, John?

DEAN. If we're in the posture of everything short of giving them a public session [unintelligible] and the whole deal. You're not hiding anything.

PRESIDENT. Yeah. Particularly if, particularly if we have the Dean statement.

DEAN. And they've been given out.

PRESIDENT. And your view about the Dean statement is to give that to the Committee and not make it public, however.

DEAN. That's correct, I think that's—

PREISDENT. And say it's, uh—

MITCHELL. Give it to the Committee for the purpose—

PRESIDENT. —the purpose of their investigation.

MITCHELL. [Unintelligible] to limit the number of witnesses

PRESIDENT. Yeah.

MITCHELL. which are called up there, instead of a buck-shot operation.

PRESIDENT. And say here, and also say, "This may help you in your investigation."

MITCHELL. Right.

PRESIDENT. "This is everything we know, Mr. Senator." That's what I was preparing to say. "This is everything we know; I know nothing more. This is the whole purpose, and that's that. If you need any further information, my, our counsel will furnish it, uh, that is not in here." It'd be tempting to—"But this is all we know. Now, in addition to that, you are welcome to have, have people, but you've got to have—" I think that the best way to have it is in executive session, but incidentally, you say executive session for those out of government as well as in?

MITCHELL. That's right.

PRESIDENT. Chapin and Colson should be called in.

DEAN. [Unintelligible]

PRESIDENT. I would think so.

MITCHELL. Sure. Because you have the same problem.

PRESIDENT. You see we ask—but your point—we ask for, uh, the privilege, and at least, you know, we, we, our statement said it applies to former as well as present [unintelligible]

DEAN. Now, our statement—you leave a lot of flexibility that you normally—for one thing, taking the chance appearing, and uh, however, informal relationships will always be worked out [unintelligible]

PRESIDENT. Informal relations.

DEAN. That's right.

MITCHELL. You have the same basis—

PRESIDENT. Well, it might. When I say that, that, that—the written interrogatory thing is not as clear [unintelligible] maybe Ervin is making it that way, but I think that's based on what maybe, uh, we said that the—I don't think I said we would only write, in, in the press conference, written interrogatories.

DEAN. That's right. I don't think—

PRESIDENT. I didn't say that at all.

DEAN. Ervin just jumped to that conclusion as a result of my letter to, uh—

PRESIDENT. I think that's what it was.

DEAN. I think that's what's happened.

PRESIDENT. Not that your letter was wrong—it was right. But, uh, the whole written interrogatory, we didn't discuss other possibilities.

MITCHELL. With respect to your ex-employees, you have the same problem of getting into areas of privileged communications. You certainly can make a good case for keeping them in executive session.

PRESIDENT. That's right.

MITCHELL. [Unintelligible]

PRESIDENT. And, and in this sense the precedent for working—you can do it in cases in the future, which [unintelligible] executive session, and then the privilege can be raised without having, uh, on a legal basis, without having the guilt by the Fifth Amendment, not like pleading the Fifth Amendment—

MITCHELL. Right.

PRESIDENT. the implication always being raised.

MITCHELL. [Unintelligible] and self-protection in that view?

PRESIDENT. What? Yeah.

DEAN. [Unintelligible] Fifth Amendment.

PRESIDENT. That's right. That's what we're going to do here.

MITCHELL. Those—boy, this thing has to be turned around. Got to get you off the lid.

PRESIDENT. Right.

DEAN. All right.

PRESIDENT. All right, fine, Chuck.

MITCHELL. Good to see you.

PRESIDENT. How long were you in Florida? Just, uh—

MITCHELL. I was down there overnight. I was four hours on the witness stand testifying for the government in these, uh, racket cases involving wiretapping. The God damn fool Judge down there let them go all over the lot and ask me any questions that they wanted to. Just ridiculous. You know, this had, all has to do with the discretionary act of signing a piece of paper that I'm authorized by the statute. There were twenty-seven hood lawyers that questioned me.

PRESIDENT. You know, uh, the, uh, you, you can say when I [unintelligible] I was going to say that the, uh—[Picks up phone] Can you get me Prime Minister Trudeau in Canada, please. [Hangs us] I was going to say that Dean has really been, uh, something on this.

MITCHELL. That he has, Mr. President, no question about it, he's a very—

PRESIDENT. Son-of-a-bitching tough thing.

MITCHELL. You've got a very solid guy that's handled some tough things. And, I also want to say these lawyers that you have think very highly of him. I know that John spends his time with certain ones—

PRESIDENT. Dean? Discipline is very high.

MITCHELL. Parkinson, O'Brien.

PRESIDENT. Yes, Dean says it's great. Well, you know I feel for all the people, you know, I mean everybody that's involved. Hell, is all we're doing is their best to [unintelligible] and so forth. [Unintelligible]. That's, that's why I can't let you go, go down, John? It's all right. Come in.

DEAN. Uh—

PRESIDENT. Did you find out anything?

DEAN. I was, I went over to Ziegler's office. They have an office over there. Paul O'Brien'll be down here in a little while to see you. I'm going over to Ziegler's office and finish this up now.

MITCHELL. Are you coming back?

DEAN. Yes, I'll come back over here then.

MARCH 22, 1973

MITCHELL. Okay.

PRESIDENT. Yeah. Well, when you come back—he can, uh, is that office open for John now?

DEAN. Yes.

PRESIDENT. Then he can go over there as soon [unintelligible] this. But, uh, the, uh, the one thing I don't want to do is to—Now let me make this clear. I, I, I thought it was, uh, very, uh, very cruel thing as it turned out—although at the time I had to tell [unintelligible]—what happened to Adams. I don't want it to happen with Watergate—the Watergate matter. I think he made a, made a mistake, but he shouldn't have been sacked, he shouldn't have been—And, uh, for that reason, I am perfectly willing to—I don't give a shit what happens. I want you all to stonewall it, let them plead the Fifth Amendment, cover-up or anything else, if it'll save it—save the plan. That's the whole point. On the other hand, uh, uh, I would prefer, as I said to you, that you do it the other way. And I would particularly prefer to do it that other way if it's going to come out that way anyway. And that my view, that, uh, with the number of jackass people that they've got that they can call, they're going to—The story they get out through leaks, charges, and so forth, and innuendos, will be a hell of a lot worse than the story they're going to get out by just letting it out there.

MITCHELL. Well—

PRESIDENT. I don't know. But that's, uh, you know, up to this point, the whole theory has been containment, as you know, John.

MITCHELL. Yeah.

PRESIDENT. And now, now we're shifting. As far as I'm concerned, actually from a personal standpoint, if you weren't making a personal sacrifice—it's unfair—Haldeman and Dean. That's what Eisenhower—that's all he cared about. He only cared about—Christ, "Be sure he was clean." Both in the fund thing and the Adams thing. But I don't look at it that way. And I just—That's the thing I am really concerned with. We're going to protect our people, if we can.

MITCHELL. Well, the important thing is to get you up above it for this first operation. And then to see where the chips fall and, uh, and, uh, get through this Grand Jury thing up here. Uh, then the Committee is another question. [Telephone rings] What we ought to have is a reading as to what is [telephone rings] coming out of this Committee and we, if we handle the cards as it progresses. [Telephone rings]

PRESIDENT. Yeah. But anyway, we'll go on. And, uh, I think in order—it'll probably turn just as well, getting them in the position of, even though it hurts for a little while.

MITCHELL. Yeah.

PRESIDENT. You know what I mean. People say, "Well, the President's [unintelligible]," and so forth. Nothing is lasting. You know people get so disturbed about [unintelligible]. Now, when we do move [unintelligible] we can move, in a, in a, in a, in the proper way.

MITCHELL. If you can do it in a controlled way it would help and good, but, but, but the other thing you have to remember is that this stuff is going to come out of that Committee, whether—

PRESIDENT. That's right.

MITCHELL. And it's going to come out no matter what.

PRESIDENT. As if, as if I, and then it looks like I tried to keep it from coming out.

MITCHELL. That's why it's important that that statement go up to the Committee.

PRESIDENT. [Picks up phone.] Hello. I don't want to talk. Sure. [Hangs Up.] Christ, Sure, we'll—

MITCHELL. It's like these Gray, Gray hearings. They had it five days running that the files were turned over to John Dean, just five days running—the same story.

PRESIDENT. Same story.

MITCHELL. Right.

PRESIDENT. The files should have been turned over.

MITCHELL. Just should have, should have demanded them. You should have demanded all of them.

PRESIDENT. [Unintelligible] what the hell was he doing as counsel to the President without getting them? He was—I told him to conduct an investigation, and he did.

MITCHELL. I know.

PRESIDENT. Well, it's like everything else.

MITCHELL. Anything else for us to—

PRESIDENT. Get on that other thing. If Baker can—Baker is not proving much of a reed up to this point. He's smart enough.

MITCHELL. Howard is smart enough, but, uh, we've got to carry him. Uh, I think he has and I've been puzzling over a way to have a liaison with him and, and, uh—

PRESIDENT. He won't talk on the phone with anybody according to Kleindienst. He thinks his phone is tapped.

MITCHELL. He does?

PRESIDENT. Who's tapping his phone?

MITCHELL. I don't know.

PRESIDENT. Who would he think, who would he think would tap his phone?

I guess maybe that we would.

MITCHELL. I don't doubt that.

PRESIDENT. He must think that Ervin—

MITCHELL. Maybe.

PRESIDENT. Or, or a newspaper.

MITCHELL. Newspaper, or, or the Democratic Party, or somebody. There's got to be somebody to liaison with Kleindienst to get in a position where—it's all right from foreknowledge through Kleindienst.

PRESIDENT. You really wonder if you take Wally Johnson and, uh—He's a pretty good boy, isn't he?

MITCHELL. Yeah. [Unintelligible]

PRESIDENT. You might, you might throw that out to Dean. Dean says he doesn't want to be in such a, such a public position. He talked to the Attorney General [unintelligible] Wally Johnson. And he said that—

MITCHELL. Well, he will be in the Department,

PRESIDENT. Yeah.

MITCHELL. talking to the Department.

PRESIDENT. [Unintelligible] Mansfield's down there—

MARCH 22, 1973

MITCHELL. Everything else under control?

PRESIDENT. Yeah, we're all doing fine. I think, though, that as long as, uh, everyone and so forth, is a, uh—[unintelligible] still [unintelligible]

MITCHELL. All of Washington—the public interest in this thing, you know.

PRESIDENT. It isn't nash—[unintelligible] er, national [unintelligible] concerns me. [Unintelligible] worries the shit out of us here regard—, regarding [unintelligible]

MITCHELL. Just in time.

PRESIDENT. But the point is that, uh, I don't—There's no need for [unintelligible]. I have nothing but intuition but hell, I don't know. I, but—Again you really have to protect the Presidency, too. That's the point.

MITCHELL. Well this does no violence to the Presidency at all, this concept—

PRESIDENT. The whole scenario.

MITCHELL. Yeah.

PRESIDENT. No, it, uh, uh, d—, that's what I mean. The purpose of this scenario is to clean the Presidency. [Unintelligible] what they say "All right. Here's the report, we're going to cooperate with the Committee," and so forth and so on. The main thing is to answer [unintelligible] and that should be a God damned satisfactory answer, John.

MITCHELL. It should be.

PRESIDENT. Shouldn't it.

MITCHELL. It answers all of their complaints they've had to date.

PRESIDENT. That's right. They get cross-examination.

MITCHELL. Right. They get everything but the public spectacle.

PRESIDENT. Public spectacle. And the reason we don't have that is because you have to argue.

MITCHELL. They have to argue and—

PRESIDENT. on a legal and you don't want them to be, uh, used as a, uh, uh, for unfairly, to, to have somebody charged.

MITCHELL. It's our fault that you have somebody charged with not answering the Committee's questions [unintelligible] to John, make sure you put it in, make sure that you put it again in the argument, the clean record, and that's the reason why you have an executive session. Because the record that comes out of it is clean. But, uh, in areas of dispute—

PRESIDENT. I'd rather think, though, that all of their yakking about this, uh, we often said, John—we've got problems.

MITCHELL. [Unintelligible]

PRESIDENT. Might cost them [unintelligible]. Think of their problems. They, those bastards are really—they're just really something. Where is their leadership?

MITCHELL. They don't have any leadership, and they're leaping on every new issue.

[NOTE.—At this point, a portion of the discussion has been deleted.]

Conversation in the Oval Office

Between the President and John Dean

APRIL 16, 1973, FROM 10:00 TO 10:40 A.M.

APRIL 16, 1973 P.M.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 195

PRESIDENT. But, you had knowledge; Haldeman had a lot of knowledge; and Ehrlichman had knowledge.

DEAN. Right.

PRESIDENT. And I suppose I did. I mean, I am planning to assume some culpability on that [unintelligible]

DEAN. I don't think so.

PRESIDENT. Why not?

DEAN. Uh—

PRESIDENT. I plan to be tough on myself as I am on the other thing, though, I, I must say I didn't really give it a thought at the time because I didn't know, uh—

DEAN. No one gave it a thought.

PRESIDENT. You did. You did.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, p. 199

PRESIDENT. What got Magruder to talk?

DEAN. Uh—

PRESIDENT. I would like to take the credit.

DEAN. Because, because, well, uh, [laughs] he knew that—

PRESIDENT. I thought—I was hoping that you had seen him, because, uh—

DEAN. There was—Well, he was, he was told, he was told (1) that, you know, there was going to be no chance—

PRESIDENT. You remember, though, when you made the statement about, uh, just making a note here about drawing the wagons up around the

WHITE HOUSE TRANSCRIPT, p. 798

P But you had knowledge; Haldeman had knowledge; Ehrlichman had knowledge

and I suppose I did that night. That assumes culpability on that, doesn't it?

D I don't think so.

P Why not?

I plan to be tough on myself so I can handle the other thing. I must say I did not even give it a thought at the time.

D No one gave it a thought at the time.

WHITE HOUSE TRANSCRIPT, p. 804

P What got Magruder to talk?

I would like to take the credit.

D Well.

P I was hoping you had seen him because—

D He was told, one, that there was no chance.

P As a matter of fact, he made a statement about (inaudible) around the

APRIL 16, 1973 A.M.

White House. Uh, based uh, basically you thought the primary [unintelligible]—this was talking about pre-
DEAN. Pre—

PRESIDENT. knowledge—was all in the Committee. Right?

DEAN. That's right. Where it is.

PRESIDENT. That's right. But on Magruder, come again. What's the deal, deal there?

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, pp. 200-01

PRESIDENT. —I'm sure. On Liddy, I wanted to be sure that I, that you recall, on our conversation, I, uh—You asked me to do something. I've left it with Petersen now. He said he'd handle it. Uh, that's the proper place—
DEAN. That's right.

PRESIDENT. You see, when Liddy says he can't talk unless he hears from higher authority—I am not his higher authority.

DEAN. No.

PRESIDENT. It's Mitchell.

DEAN. Well, but I think he's looking for the ultimate—

PRESIDENT. What do you think he's thinking about?

DEAN. I think he's thinking about the President.

PRESIDENT. Clemency?

DEAN. He thinks—he has the impression that you and Mitchell probably talk on the telephone daily about this.

PRESIDENT. You know we've never talked about it.

DEAN. I understand that.

PRESIDENT. I have never talked to Mitchell about this. Oh, except about when, whether we go, uh, the executive privilege thing.

DEAN. Right.

White House. I guess

this was pre-

primaries—it was all committed.

P But on Magruder, come again.

WHITE HOUSE TRANSCRIPT,
pp. 805-06

P On Liddy I wanted to be sure. You recall our conversation. You asked me to do something. I have left it with Petersen now and he said he would handle it. That's the proper place.

When Liddy says he cannot talk with peers it must be higher authority, I am not his higher authority.

It is Mitchell.

D Well, he obviously is looking for the ultimate,

D but I think he is looking for the ultimate.

He has the impression that you and Mitchell probably talk on the telephone daily about this.

P You know we have never talked about this.

D I understand that.

P I have never talked to Mitchell about this except when whether we go the executive privilege thing.

D Right.

Conversation in the Oval Office

Between the President and John Dean

APRIL 16, 1973, FROM 4:07 TO 4:35 P.M.

APRIL 16, 1973 P.M.

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, pp. 211-12

PRESIDENT. And that goes out ahead of, frankly the Magruder-Mitchell head-chop business.

DEAN. That's right; what's the timing on that? Do you know?

WHITE HOUSE TRANSCRIPT, p. 959

P (unintelligible) I don't know that the letter (inaudible) and that goes out ahead, frankly, of the Magruder-Mitchell hitch doesn't it?

D That's right, I wasn't counting on that—

HOUSE JUDICIARY COMMITTEE
TRANSCRIPT, pp. 215-18

DEAN. Can't [unintelligible]— Yes, I said, "No abuse."

PRESIDENT. Right.

DEAN. [Unintelligible]

PRESIDENT. [Unintelligible] Magruder [unintelligible]

DEAN. They're taking him into court to do this.

PRESIDENT. Huh?

DEAN. They're going to take Magru—

PRESIDENT. I know.

DEAN. —der into court to do this.

PRESIDENT. Lou Lavelle [phonetic] went. [Unintelligible]

DEAN. I know.

PRESIDENT. [Unintelligible]

DEAN. I don't think we're going to have many leaks out of the Grand Jury or, or the [unintelligible] court. Local court et cetera.

PRESIDENT. Uh, but uh, what do you think John [unintelligible] operating too short—by a day.

DEAN. What about Hunt, too.

PRESIDENT. You, Haldeman and Ehrlichman. Magruder knows. I'd like

WHITE HOUSE TRANSCRIPT, pp. 963-65

Something about Magruder

D —they are going to take him to the courts

P I know—he has agreed to (inaudible)

APRIL 16, 1973 P.M.

to follow that. [Unintelligible]

DEAN. What—How can he respond to that? I don't understand that.

PRESIDENT. Uh huh.

DEAN. [Unintelligible] his testimony before the Grand Jury.

PRESIDENT. This testimony makes a statement [unintelligible]

DEAN. I can't in public statement without naming any individuals.

[Unintelligible] the rights of that individual. That's why I don't think that I, I can't foresee what he's going to say. [Unintelligible] naming any, any individual.

PRESIDENT. You see, I think my own [unintelligible] I requested that the U.S. Attorney call before the Grand Jury.

DEAN. [Unintelligible] all, all your staff.

PRESIDENT. I am to cooperate.

DEAN. Um huh.

PRESIDENT. How about trying that for a little [unintelligible] John?

[Unintelligible] if the White House staff gets called before the Grand Jury and questioned.

DEAN. The prosecution will [unintelligible] needed somebody to wash or, or the like. They may or may not want to hear, and—by the way, I would, I would bounce that one off of Henry, uh—

PRESIDENT. Yeah, Ehrlichman and Haldeman and Magruder.

DEAN. It is, it has been? Or—

PRESIDENT. We can always find reasons.

DEAN. And Hunt's.

PRESIDENT. [Unintelligible] oh, my God, we've got to leave [unintelligible] Ehrlichman and Haldeman predict, thank God [unintelligible] world. They were on top; they're shot down.

DEAN. That's right. [Unintelligible]. The other thing that always worried me is not getting shot down, but not giving out enough, and starting a, a chain going that we didn't want,

D I can't foresee what we would want to say about any investigation—

P "You see I make my own"

How about trying that?

"Let the White House Staff (inaudible)"

because we didn't give enough. Uh, would, uh—[coughs] [Unintelligible] unfortunately, the source of the problem, and it's just, it's mind boggling but you think about it, uh—

PRESIDENT. And—

DEAN. He didn't care—

PRESIDENT. All across [unintelligible]

DEAN. That's right. Lord knows. Lord knows [unintelligible]

PRESIDENT. And after he didn't turn it off—

DEAN. And then we bailed him out, and that's why we have a problem.

PRESIDENT. [Unintelligible] and then you said the whole White House at least, uh, up to you, and Ehrlichman, Haldeman after regretfully dealing with the fact. We've just got to keep the thing from going upstairs, to Mitchell, I mean, your conversation with Magruder—

DEAN. That's right.

PRESIDENT. The fact that, uh, you're supposed to support him—everybody—

DEAN. Uh huh.

PRESIDENT. and therefore Mitchell and [unintelligible]

DEAN. Oh, Mitchell, Mitchell was making heavy comments about, you know, if Hunt and Liddy blow, the White House will have a bigger problem than he will, sort of things.

PRESIDENT. Yeah.

DEAN. Whatever they had done over here would be quite embarrassing during the election, also.

PRESIDENT. Yeah.

DEAN. And I suppose there's some truth in that. No hard facts. Just [unintelligible] Ellsberg's office, and things like that.

PRESIDENT. [Unintelligible] that wouldn't have been very good.

DEAN. You know, uh, you know, poor Bud Krogh, uh, is just miserable, knowing what he knows.

PRESIDENT. Meaning Ellsberg?

D Unfortunately it doesn't solve; your problem. Mine bother me but (unintelligible)

Mitchell was making heavy comments that Liddy and Hunt will make heavier problems for the White House than he will. (unintelligible)

D Poor Bud Krogh is so miserable. Knowing what he knows—

P Need any help with him?

APRIL 16, 1973 P.M.

DEAN. Yeah, he's—

PRESIDENT. Yeah, well [unintelligible]

DEAN. Hopefully not.

There's no reason it should be.

The only evidence that they have which they must—That's one of the reasons I have argued against a special prosecutor. The special prosecutor is going to run across evidence that's screwy. [Unintelligible] that picture, that picture in front of the doctor's office.

[Unintelligible] can't get into that.

PRESIDENT. This is not their case—that they're—

DEAN. That's not their case.

It just got forced on them.

PRESIDENT. That's right.

DEAN. When I was first, you know, first talking, uh, with regard to [unintelligible]

PRESIDENT. [Unintelligible]

DEAN. They wanted to just, just, just the original time run these guys through the Grand Jury, with immunity, and see what came out.

PRESIDENT. [Unintelligible]

DEAN. Uh, let us fight our battle with the Senate.

PRESIDENT. [Unintelligible]

DEAN. Absolutely.

PRESIDENT. We've been through this particular [unintelligible]

DEAN. They pulled it out inch by inch, uh, and it'll just, uh, it'll bring you down with it in this [unintelligible] committee.

PRESIDENT. Well, it hurts, as you say.

DEAN. [Unintelligible]

PRESIDENT. It won't pull us down. [Unintelligible]. We can wait and handle it in the [unintelligible] court.

DEAN. We never—

PRESIDENT. [Unintelligible] virtually nine months. [Unintelligible]

D There is no reason that he should be. The only evidence that they have (inaudible)

D It just got forced on him.

When I was first talking to him—

"Run these guys through the Grand Jury—"

DEAN. Dean couldn't get there with the facts.

PRESIDENT. [Unintelligible] they'll ask.

DEAN. I didn't have the power to compel Mitchell or Magruder to tell me what had happened. I just surmised what had happened.

PRESIDENT. The [unintelligible]

DEAN. I've been, uh, to be very honest, I've talked about it around here before I got to see you for many, many months. Uh, I said you know, I said the containment theory is not working anymore so you might as well forget it.

PRESIDENT. Right. That's what you came in to see me? Fine.

DEAN. Fine. It works.

Finally, I started coming in to see you and that's when we started getting action.

PRESIDENT. I have no right [unintelligible]

DEAN. Then I was told by all of those after joining this, that'd be talking surrender. I'm not talking surrender.

I'm talking realistically. [Unintelligible] investigation going. They've got subpoena power, immunity power, and they're going to break somebody up there, just as sure—

And, uh, I've always said that it's a domino situation—

One, one goes—and that's exactly what's happened here,

Mr. President.

PRESIDENT. The poor guys.

DEAN. The poor men and the [unintelligible] all the way around.

PRESIDENT. Secretaries, [unintelligible]

DEAN. That's right.

President and Dean. [Unintelligible]

DEAN. How do you want to handle it: Ehrlichman, Haldeman, and Dean?

To be very honest with you, I have talked about it around here before I got in to see for many, many months. Then I thought I could not let it interfere with my work anymore so I thought I might as well forget it.

P That's right. That's when you came in to see me.

D Finally, that is when I came in to see you and get some answers.

D Now, they have their full investigation going—with subpoena power, investigative power, et cetera.

It is all like a set of dominoes if one goes they will all go.

P Secretaries, et cetera

D I don't know (unintelligible) They are going to handle Ehrlichman and Haldeman.

APRIL 16, 1973 P.M.

PRESIDENT. That's a good question. [Unintelligible] the biggest part of that question is when, under the circumstances—it's, uh—

DEAN. Here's the argument I, I've been meaning to tell you: First of all, there is, there's, there is potential—There are *prima facie* situations right now that are very difficult in, uh, to prove in context that—been made aware of. Uh, does that thereby make it necessary for you to make a judgment that those people should leave the staff until their, their name is cleared?

PRESIDENT. It makes it necessary for me to relieve them of any duty if this peaks.

DEAN. That's right.

PRESIDENT. Which I have done. It makes it necessary for me to [unintelligible] Haldeman turn it down, which I end up.

DEAN. But that—I don't know—PRESIDENT. I'm happy to discuss it with him, but whether, you just say let's go all out and tromp their ass. I do not—

DEAN. That's the tougher question, because one, that's putting you in the position of being the, the judge and trier of the facts.

PRESIDENT. Before—

DEAN. Before all the facts are in, necessarily.

PRESIDENT. That's really my problem on that. I mean, I—so this fellow says that, and this fellow says that—that's the thing that concerns me.

DEAN. Well, maybe that's the way this ought to be handled, publicly. Say, "I have certain information about—you know, allegations have been made about persons, some publicly—some have not become public yet—but I am not in a position where I can make any"

PRESIDENT. Yeah. Yeah.

There is a potential *prima facie* situation right now (inaudible)

which thereby makes it necessary for you to make a judgment that those people should leave the staff.

P Make it necessary for me to relieve them from any duties at this state.

D That's right.

P I don't have to discuss it with him—but just say, "You are all out"

D That is a tougher question because one that is putting you in the position of being the judge of the entire facts

before all the facts are in necessarily.

P That is really my problem in a nutshell. So those fellows say that—this fellow says that—

D Maybe that is the way this ought to be handled. You say, "I have heard information about allegations about (unaudible) some publicly and some have not become public yet. I am not in a position to

DEAN. "judgments, because all the facts aren't in yet."

PRESIDENT. But you really think, John, don't you, that, ugh, you [unintelligible] in the meantime—

DEAN. Okay.

PRESIDENT. Your statement, this statement is terribly important. And, then frankly, something very shortly beforehand [unintelligible]. Right?

DEAN. Right.

PRESIDENT. I'll talk to you on Thursday. [Unintelligible]. Thank you.

DEAN. Yes, sir.

PRESIDENT. Would you say that you [unintelligible] move, uh [unintelligible] in this area?

DEAN. Right.

PRESIDENT. And, uh [unintelligible].

judge because all the facts are not in yet (inaudible)? P (Inaudible) But you agree, John, don't you that

the statement is fair to everybody? And frankly—(Balance inaudible —door closes.)



